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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APR 17 2001

TECH CENTER 1600/2900

APPLICANTS : ASSMANN ET AL.  
REEXAMINATION OF: REEXAMINATION OF USP 6,020,354  
ISSUED : February 1, 2000  
FOR : HALOBENZIMIDAZOLES AND THEIR USE AS MICROBICIDES  
ART UNIT : To be assigned  
EXAMINER : To be assigned

CERTIFICATE OF MAILING BY EXPRESS MAIL (37 CFR 1.10)

Express Mail Label No.: EL 728911346 US

Date of Deposit: April 9, 2001

I hereby certify that the following items:

1. Request for Reexamination Transmittal Form, in duplicate
2. Fee Transmittal, in duplicate
3. Request for *Ex Parte* Reexamination Under 35 USC §§ 302-307 and 37 CFR § 1.510
4. Copy of U.S. Patent 6,020,354
5. Submission of Prior Art Under 37 CFR 1.501
6. Form PTO-1449, in duplicate
7. Copies of 13 references

and this Certificate of Mailing by Express Mail are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and addressed to: BOX REEXAM, Assistant Commissioner of Patents, Washington, D.C. 20231, on the date indicated above.

NORRIS McLAUGHLIN & MARCUS, P.A.

By:

Lucy Weg

220 East 42<sup>nd</sup> Street - 30<sup>th</sup> Floor  
New York, New York 10017  
(212) 808-0700

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Approved for use through 9/30/00. OMB 0651-0031

Patent and Trademark Office: U.S. Department of Commerce

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**TRANSMITTAL  
FORM**

(To be used for all correspondence after initial filing)

Application Number	09/243,568
Filing Date	February 3, 1999
First Named Inventor	UWE SCHONROCK ET AL.
Group Art Unit	1626
Examiner Name	J. Murray
Attorney Docket Number	Beiersdorf 545.1-CAO

Total Number of Pages in This Submission

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip(PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Additional Enclosure(s) (please identify below):
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Remarks:

**RECEIVED****APR 17 2001****TECH CENTER 1600/2900****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name

Kurt G. Briscoe  
NORRIS McLAUGHLIN & MARCUS, P.A.

Signature

Reg. No. 33,141

Date

April 9, 2001

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to : Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

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Kurt G. Briscoe

Signature

Date

4/9/01

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PTO/SB/17 (11-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

\$700.00

## Complete if Known

Application Number	09/243,568
Filing Date	February 3, 1999
First Named Inventor	UWE SCHONROCK ET AL.
Examiner Name	J. Murray
Group Art Unit	1626
Attorney Docket No.	Beiersdorf 545.1 - CAO

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

14-1263

Deposit  
Account  
Name

Norris, McLaughlin & Marcus

- ☒ Charge Any Additional Fee Required  
Under 37 CFR §§ 1.16 and 1.17

☐ Applicant claims small entity status.  
See 37 CFR § 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money  
Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1)					

### 2. EXTRA CLAIM FEES

Extra Claims		Fee from below	Fee Paid
Total Claims	-20** =		
Independent Claims	-3** =		
Multiple Dependent			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claim, if not paid	
109	80	209	40	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					\$0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non - English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	390.00
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	310.00
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR § 1.17(q)	
126	180	126	180	Submission of Information Disclosure Statement	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					
SUBTOTAL (3)					\$700.00

\*Reduced by Basic Filing Fee Paid

## SUBMITTED BY

Name (Print/Type)

KURT G. BRISCOE

Registration No.  
(Attorney/Agent)

33,141

Complete (if applicable)

Telephone

202-808-0700

Signature

Date

April 9, 2001

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